

*Summary of Claimed Subject Matter*

The invention is defined by all of the appealed claims; however, reference to claim 35 can be useful from the standpoint of providing a summary of the claimed subject matter. Claim 35 is the sole independent claim on appeal, and all of the other appealed claims are dependent – directly or indirectly – on claim 35.

The invention defined by appealed claim 35 relates to a method of changing the sensory perception of an animal (see specification at, e.g., page 2, lines 24-25, and page 3, lines 34-35), especially to treat hearing loss or balance disorders in the animal (see specification at, e.g., page 3, lines 25-28). The method comprises administering to the inner ear a pharmaceutical composition comprising a serotype 28 adenoviral (Ad28) vector (see specification at, e.g., page 8, lines 9-10, and line 17). The Ad28 vector comprises a nucleic acid sequence encoding Hath1 (see specification at, e.g., page 18, lines 7-8 and line 31) operably linked to a promoter that functions in supporting cells of the inner ear (see specification at, e.g., page 23, lines 31-34), wherein the nucleic acid sequence is expressed to produce Hath1, thereby resulting in generation of sensory hair cells that allow perception of stimuli in the inner ear (see specification at, e.g., page 4, lines 1-3).